

**UNITED STATES BANKRUPTCY COURT
District of Maryland - Greenbelt Division**

IN RE:

Case No. 10-21629

Janet D. King

Debtor

Chapter 7

Address:

7 Grotto Court

Germantown, MD 20874

Social Security Number:

xxx-xx-1173

Janet D. King

Adv. Proc. No. :

Plaintiff

v.

Judgement Collection Services, Inc.

4500 Custis Drive

Rockville, MD 20853

Assignee of Timothy P. Tunner

Timothy P. Tunner

3732 Wells Ave.

Mount Rainier, MD 20712

Defendants

COMPLAINT TO SET ASIDE PREFERENCE

1. On May 24, 2010, Debtor/Plaintiff Janet D. King filed a voluntary bankruptcy petition under Chapter 7 of the Bankruptcy Code.
2. This complaint is filed, pursuant to 11 U.S.C. § 522(h), to set aside a transfer of Mrs. King's exempt property to Defendants Judgement Collection Services, Inc. and Timothy P.

Tunner. This Court has jurisdiction under 28 U.S.C. § 1334. This proceeding is a core proceeding.

3. Within 90 days of the petition filing date, Defendants obtained \$10,486.06 of Mrs. King's money from her bank account at Bank of America, N.A.. Defendants received funds from Mrs. King's bank account pursuant to an order of the Circuit Court of Maryland for Montgomery County entering judgment in favor of Judgement Collection Services, Inc. in the amount of \$10,484.25 for the purpose of satisfying Mrs. King's prepetition debt.
4. Mrs. King could have exempted \$5,243.03 of these funds in her bankruptcy case had they been recovered by the trustee as a preference under 11 U.S.C. § 547.
5. The trustee has not attempted to avoid this transfer.
6. The aforesaid transfer to Defendants was not voluntary, nor did Mrs. King conceal any of the property involved.
7. The transfer to Defendants, while Mrs. King was insolvent, enabled Defendants to receive more than Defendants would have received had the transfer not been made, since Defendants would have received no dividend in Mrs. King's bankruptcy case.

WHEREFORE, Mrs. King prays for judgment against Defendants ordering Defendants to return the \$5243.03 obtained by Defendants as described above and ordering such other and further relief as is just and proper.

Respectfully submitted,

/s/ Heather L. Gomes
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